

Notice of Allowability

Application No.

09/989,654

Applicant(s)

HENDRIKS ET AL.

Examiner

Michael A. Lyons

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed 17 January 2005.
2. ☒ The allowed claim(s) is/are 1,3-6,9 and 10.
3. ☒ The drawings filed on 19 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Gregory J. Roatley, Jr.
Supervisory Patent Examiner

EXAMINER'S AMENDMENT AND STATEMENT OF REASONS FOR ALLOWANCE

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Waxler on February 11, 2005.

The application has been amended as follows:

In the specification, paragraph 4 of page 1 is cancelled in its entirety.

In the claims: claim 1 is amended as follows:

A device for the inspection of surfaces (10) of one or more semiconductors (14), comprising:

at least one laser light source (1);

a detector (28) for detecting an intensity of light (13) that is reflected by the surface (10) to be inspected; and

at least one mode filter (15; 15.1) between the surface (10) and the detector (28); wherein the mode filter (15; 15.1) suppresses a mode in the reflected light (13) that corresponds to a mode of the laser light source (1).

Also, claim 9 is amended as follows:

A method for the inspection of a surface of one or more semiconductors, comprising the steps of:

irradiating said surface by means of at least one laser light source; and

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detecting an intensity of light that is reflected by the surface to be inspected in at least one detector, wherein the laser light source emits light of a defined mode and that light that is reflected by the surface is guided through a mode filter; wherein

the mode filter suppresses a mode in the reflected light that corresponds to a mode of the laser light source.

Accordingly, claim 2 is cancelled.

Allowable Subject Matter

Claims 1, 3-6, and 9-10 are allowed in view of the prior art.

The following is an examiner's statement of reasons for allowance:

As to claims 1 and 9, the prior art of record, taken either alone or in combination, fails to disclose or render obvious an apparatus and corresponding method for the inspection of a surface of one or more semiconductors, this apparatus and method containing and using a mode filter between the surface and a photodetector, this mode filter suppressing a mode in the light reflected off the surface, this light corresponding to a mode of the laser light source, in combination with the rest of the limitations of the above claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Lyons whose telephone number is 571-272-2420.

The examiner can normally be reached on Monday through Friday.

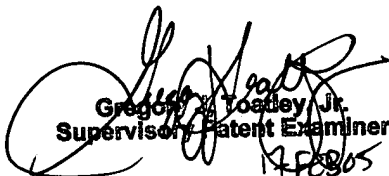
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J Toatley can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAL

February 14, 2005


Gregory J. Toatley, Jr.
Supervisory Patent Examiner
2/14/05